

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/004,511
Applicant : Shannon Morris
Filed : October 22, 2001
TC/A.U. : 3728
Examiner : Luan Kim Bui

Docket No. : OSSV-083441
Customer No. : 30764

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REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. § 1.136(b)

Mail Stop AF
Commissioner of Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby requests an extension of time of two (2) months for filing her reply brief on appeal to the Board of Patent Appeals and Interferences. Sufficient cause exists for this request, and the extension requested is reasonable.

The ground for this request is that Applicant has pending a *Petition Under 37 C.F.R. § 1.181*, seeking to require the Examiner to reopen prosecution so that Applicant can address a changed claim interpretation that was divulged for the first time in the *Examiner's Answer*. The *Examiner's Answer* was mailed February 6, 2004, making Applicant's reply brief on appeal due April 6, 2004. Applicant diligently filed her *Petition Under 37 C.F.R. § 1.181* nearly six weeks ago, on February 18, 2004, but has yet to receive a decision on the *Petition*.

An extension of time is necessary because the two-month period for filing a reply brief expires in one week, and Applicant has no indication that the *Petition* will be acted upon in the remaining time, nor any guarantee that the *Petition* will be granted. Applicant has not begun preparing a reply brief in the expectation that her *Petition* will be granted. If the *Petition* is not granted, Applicant will require a new two month period to prepare her reply brief.

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